

UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America)

v.)

BILLY JOHNSON)

Case No: 2:95CR00089-01

USM No: 08123-097

Date of Previous Judgment: March 12, 1996

David Porter, Assistant Federal Defender

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 228 months **is reduced to** 200 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 30

Amended Offense Level: 28

Criminal History Category: VI

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Previous Guideline Range: 168 to 210 months

Amended Guideline Range: 140 to 175 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): The sentence consists of a term of 140 months on Count 1, a term of 120 months on Count 3, to run concurrently with Count 1, and 60 months on Count 2, to run consecutively to Counts 1 and 3, for a total term of 200 months.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 03/12/1996 shall remain in effect.

IT IS SO ORDERED.

Order Date: 05/08/2008



Judge's signature

Effective Date: _____
(if different from order date)

Lawrence K. Karlton, United States District Judge
Printed name and title